

DFW

Application No. 10/647,068
Docket No. 0101-P02977US1

Art Unit: 3732
Examiner: Philogene, Pedro

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Argenta, et al.**

: Group Art Unit: 3732

Serial No.: 10/647,068

: Examiner:

Filed: August 22, 2003

: **Philogene, Pedro**

For: **Bone Treatment Employing Reduced Pressure**

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On January 30, 2007 Applicant filed a Request for Continued Examination along with a request for three-month suspension of prosecution and the required fee under 37 CFR 1.17(i). Ignoring Applicant's duly requested three-month suspension of prosecution, the Patent Office prematurely issued a non-final office action on April 13, 2007 during the period of suspension. Since the Office could not issue an office action prior to April 30, 2007 under the rules, Applicant believes that the issuance of the premature non-final office action should be ignored for fee calculation purposes.

Specifically, on or before April 30, 2007 Applicant filed numerous Information Disclosure Statements without paying the fee under 37 CFR 1.17(p). Applicant believes the issuance of the office action in violation of the rules make clear that Applicant is not required pay the fees under 37 CFR 1.17(p) for the Information Disclosure Statements filed on or before April 30, 2007. Applicant is enclosing herewith \$1080 for the six Information Disclosure Statements filed after April 30, 2007. In the event that the Patent Office deems that additional fees are due under 37 CFR 1.17(p), the Patent Office is authorized to charge any fees due under 37 CFR 1.17(p) to deposit account 04-1406.

Respectfully submitted,

[Signature]

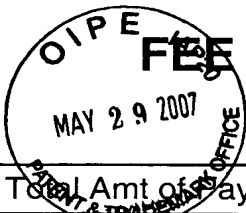
05/30/2007 SFELEKE1 00000016 10647068

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180.00 CR

Shels Haun, PTO Reg. No. 48,488
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Repln. Ref: 05/30/2007 SFELEKE1 0008325500
DAH:041406 Name/Number:10647068
FC: 9204 \$900.00 CR



FEE TRANSMITTAL

Application Number: 10/647,068
 Filing Date: August 22, 2003
 First Named Inventor: Argenta, et al.
 Group Art Unit: 3732
 Examiner Name: Pedro Philogene
 Attorney Docket Number: 0101-P02977US1

Total Amt of Payment (1) + (2) + (3) = \$1,080

METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to:
 Charge indicated fees
 Charge additional fees
 Credit overpayments
 to the account of DANN, DORFMAN, HERRELL & SKILLMAN
 Deposit Account Number 04-1406

Payment enclosed:
 Check in the amount of \$1,080

FEE CALCULATION

1. FILING FEE

	Fee
Fee Description	
Utility filing fee	_____
Design filing fee	_____
Plant filing fee	_____
Reissue filing fee	_____
SUBTOTAL (1)	\$0

2. Claims Fees

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims - =		25	\$0
Indep Claims - =		100	\$0
Multiple Dependent Claim Fee			
SUBTOTAL (2)			\$0

ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	_____
Surcharge - late provisional filing fee or cover sheet	_____
Extension for response within month	_____
Notice of Appeal	_____
Filing a brief in support of an appeal	_____
Request for oral hearing	_____
Petition to revive unavoidably abandoned application	_____
Petition to revive unintentionally abandoned application	_____
Issue Fee	_____
Petitions to the Commissioner	_____
Petitions related to provisional applications	_____
Submission of IDS (six forms after 4/30/07)	1080
Recording each patent assignment per property	_____
Other fee (specify) <u>Advance Order (10 copies)</u>	_____
SUBTOTAL (3)	\$1,080

Submitted By: Niels Haun Ph.D. Reg. Number 48,488

Signature *Niels Haun* Date May 23, 2007 Deposit Account User ID 04-1406